

REMARKS AND ARGUMENTS

Applicant's attorney wishes to thank Examiner Hill and James Housel for the careful consideration given this case, and the courteous interview of January 25, 2005. For the Examiner's convenience, included with this response is a copy of the Interview Summary from said interview. As was discussed and agreed upon during the interview,

Claims 1-19 are pending in the application.

The Examiner has rejected claim 1-19 under 35 U.S.C. §112 as failing to comply with the written description requirement. As was discussed and agreed upon during the interview, the written description and enablement requirements of 35 U.S.C. §112 are satisfied with respect to the claims currently pending. As was pointed out during the interview, Table 1 of the specification (page 20) provides no less than three (3) vaccine strains in accordance with the present invention. In light of the foregoing and as reflected in the interview summary, claims 1-5, 7 (as amended to incorporate the elements of claim 8), 9-12, 13 (as amended to incorporate the elements of claim 14) and 15-19 fully satisfy 35 U.S.C. §112 as does claim. Applicant has cancelled claims 6, 8 and 14 and will address the issue discussed in the interview regarding claim 6 in a later filed application.

Accordingly, Applicant respectfully requests that claims 1-5, 7, 9-13 and 15-19 be passed to issue.

BEST AVAILABLE COPY

It is believed that the pending claims are in condition for allowance and notice to such effect is respectfully requested. Although Applicant believes no fees are due, the Commissioner is hereby authorized to charge deposit account No. 50-0436 for any fees that may be due in connection with this response. Should the Examiner have any questions regarding this application, the Examiner is invited to initiate a telephone conference with the undersigned.

Respectfully Submitted,



Raymond A. Miller
Registration No. 42,891

Dated: February 17, 2005

PEPPER HAMILTON LLP
Firm 21269
One Mellon Center
500 Grant Street, 50th Floor
Pittsburgh, PA 15219
(412) 454-5017
(412) 281-0717 - facsimile

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☐ BLACK BORDERS
- ☐ IMAGE CUT OFF AT TOP, BOTTOM OR SIDES
- ☐ FADED TEXT OR DRAWING
- ☒ BLURRED OR ILLEGIBLE TEXT OR DRAWING
- ☐ SKEWED/SLANTED IMAGES
- ☐ COLOR OR BLACK AND WHITE PHOTOGRAPHS
- ☐ GRAY SCALE DOCUMENTS
- ☐ LINES OR MARKS ON ORIGINAL DOCUMENT
- ☐ REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY
- ☐ OTHER: _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.